

UNITED STATES DISTRICT COURT FOR THE  
DISTRICT OF NEW HAMPSHIRE

Kathleen A. Sousa

v.

Civil No. 05-cv-421-PB

TD Banknorth Insurance Agency, Inc.

**O R D E R**

The defendant's motion for leave to reply (document no. 37) is granted. The emergency motion to compel attendance at the noticed deposition of May 31st (document no. 35) is denied. This court requires counsel to practice in accordance with the "New Hampshire Bar Association Litigation Guidelines" which provide in part:

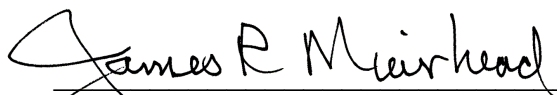
In scheduling depositions, reasonable consideration should be given to accommodating schedules of opposing counsel and of the deponent . . . .

(emphasis added). Defense counsel has not done so and will be afforded no emergency relief.<sup>1</sup>

---

<sup>1</sup>Defense counsel's squabbles about Rule 26(a)(1) disclosures being served three days late, scheduling of depositions by notice, and lack of understanding of plaintiff's staff emergency do not suggest any sensitivity to New Hampshire practice standards. Counsel are ordered to attempt to resolve discovery between them before filing any further discovery motions.

**SO ORDERED.**

A handwritten signature in black ink, reading "James R. Muirhead". The signature is written in a cursive style with a large, looping initial "J".

James R. Muirhead  
United States Magistrate Judge

Date: May 31, 2006

cc: Peter G. Callaghan, Esq.  
William E. Hannum, III, Esq.  
G. Michael Palladino, Esq.  
Dyana C. Tull, Esq.